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| APPLICATION NO.                | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------|-------------|----------------------|---------------------|------------------|
| 09/994,948                     | 11/27/2001  | Rajko Milovanovic    | TI-32228            | 1788             |
| 23494                          | 7590        | 03/07/2006           | EXAMINER            |                  |
| TEXAS INSTRUMENTS INCORPORATED |             |                      | TANG, KENNETH       |                  |
| P O BOX 655474, M/S 3999       |             |                      | ART UNIT            |                  |
| DALLAS, TX 75265               |             |                      | PAPER NUMBER        |                  |

2195

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/994,948

Applicant(s)

MILOVANOVIC ET AL.

Examiner

Kenneth Tang

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to the Appeal Brief filed on 12/19/05. Prosecution has been reopened with new grounds of rejections. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejections.
2. Claims 1-5 are presented for examination.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldbland et al. (hereinafter Goldbland) (US 2001/0018673 A1) in view of Cook et al. (hereinafter Cook) (US 2003/0018966 A1).**

4. As to claim 1, Goldbland teaches a framework for applications on an applications processor in communication with an algorithm processor, comprising:

- (a) a plurality of plugins for an application on an applications processor (*Fig. 3*);
- (b) a plurality of algorithm components on an algorithm processor (rules engine), each of said plugins corresponding to one or more algorithm component(s), and said algorithm processor in communication with said applications processor (*Fig. 1, [0008]*);
- (c) a component scheduler on said algorithm processor (*Fig. 3, [0036]-[0037]*);

Art Unit: 2195

5. Goldbland teaches communication of an application over a network to perform actions such as presenting an advertisement, send an upgrade notice, present a limited time offer, deliver marketing messages, etc (*see Abstract*). Goldbland is silent in teaching wherein said component scheduler provides quality of service for said application with regard to said components by: (i) component scheduling in response to controls from said plugins relating to execution of said components and (ii) notification of events related to execution of said components sent to said plugins. However, Cook discloses a system that inserts content into streaming media applications in real-time using a schedule engine 250 (scheduler) for a streaming server 225 which schedules in response to control from plugins related to execution and also notifies the plugin 130 of events related to execution (that the content is ready) (*page 4, [0033], [0109], see Fig. 2*). Cook disclose the quality of service because it teaches the claimed limitations of (i) and (ii) that define the quality of service. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Goldbland and Cook because it would minimize effort to support and maintain the system, improves security, and is highly scalable (*page 2, [0013]-[016]*).

6. As to claim 2, Goldbland teaches wherein:

(a) said controls include a set of data rate for one of said components (bandwidth) (*[0037]*).

7. As to claim 5, Goldbland teaches:

(a) a plurality of second algorithm components on a second algorithm processor, with said second algorithm processor in communication with said applications processor and said algorithm processor and said plugins also relate to said second algorithm components (clients and adding agents) ([0038]).

8. **Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldbland et al. (hereinafter Goldbland) (US 2001/0018673 A1) in view of Cook et al. (hereinafter Cook) (US 2003/0018966 A1), and further in view of Swaminathan et al. (hereinafter Swaminathan) (US 6,092,120).**

9. As to claim 3, Goldbland and Cook fails to explicitly teach wherein: (a) said events include notice of failure of meeting a presentation time for one of said components.

However, Swaminathan teaches having a notification for not meeting a presentation time (late loading error handling provides notification) (*col. 13, lines 35-43*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Swaminathan to Goldbland and Cook because it would enhance the real-time media communications such as advertisements, marketing, messages, etc. (*col. 1, lines 23-33, col. 4, lines 10-20*).

10. As to claim 4, Goldbland and Cook fails to explicitly teach determining deadlines for a media stream that can be scheduled and scheduling a frame at a time of said media stream.

Art Unit: 2195

However, Swaminathan teaches (a) an applications processor scheduler to determine deadlines for a media stream that can be scheduled on said algorithm processor, and wherein said component scheduler on said algorithm processor schedules a frame at a time of said media stream (*col. 13, lines 35-43, col. 11, lines 54-62*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Swaminathan to Goldbland and Cook because it would enhance the real-time media communications such as advertisements, marketing, messages, etc. (*col. 1, lines 23-33, col. 4, lines 10-20*).

### ***Response to Arguments***

11. Applicant's arguments have been fully considered but they are moot in view of the new grounds of rejections.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (571) 272-3772. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2195

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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